

Chapter 2: RULES CONCERNING THE PROCESSING OF APPLICATIONS AND OTHER ADMINISTRATIVE MATTERS

SUMMARY: These rules govern various administrative activities of the Department of Environmental Protection. Included within these rules are sections which apply to advisory opinions, license application requirements, application fees, public notice, public access to information, processing times, license transfers, and appeals to the Board of Environmental Protection.

1. **Definitions.** The following terms, as used in this Chapter, have the following meanings unless the context indicates otherwise:
 - A. **Abutter.** "Abutter" for the purposes of the notice provisions of this rule, means any person who owns property that is both (1) adjoining and (2) within 1 mile of the delineated project boundary, including owners of property directly across a public or private right of way.
 - B. **Aggrieved person.** "Aggrieved person" means any person whom the Board determines may suffer particularized injury as a result of a licensing or other decision. It is the Department's intent to interpret and apply the term "aggrieved person," whenever it appears in statute or rule, consistent with Maine state court decisions that address judicial standing requirements for appeals of final agency action.
 - C. **Amendment application.** "Amendment application" means any application to modify a license previously granted by the Department, except for minor revisions.
 - D. **Board.** "Board" means the Board of Environmental Protection.
 - E. **Chair.** "Chair" means the Chair of the Board of Environmental Protection, or his or her designee.
 - F. **Commissioner.** "Commissioner" means Commissioner of the Department of Environmental Protection, or his or her designee.
 - G. **Department.** "Department" means the Department of Environmental Protection, including the Board and the Commissioner.
 - H. **Department staff.** "Department staff" means all staff, except staff to the Board.
 - I. **Interested person.** "Interested Person" means any person who submits written comments on an application or who requests, in writing, receipt of materials related to a particular application.
 - J. **License.** "License" means any license, license amendment, license renewal, transfer, permit, variance, approval or certification issued by the Department.

